

**MINUTES OF THE  
TRANSPORTATION, ENVIRONMENTAL QUALITY, NATIONAL GUARD  
& VETERANS' AFFAIRS  
APPROPRIATIONS SUBCOMMITTEE  
Room 25, House Office Building, State Capitol Complex**

**Wednesday, February 3, 2010**

**MEMBERS PRESENT:** Sen. Kevin T. Van Tassell, Co-Chair  
Rep. Wayne Harper, Co-Chair  
Sen. Peter C. Knudson  
Sen. Luz Robles  
Rep. Rebecca P. Edwards  
Rep. Neil Hansen  
Rep. Neal B. Hendrickson  
Rep. Don L. Ipson  
Rep. Patrick Painter  
Rep. F. Jay Seegmiller  
Rep. Kenneth Sumsion  
Rep. Carl Wimmer

**MEMBERS ABSENT:** Sen. Scott K. Jenkins  
Sen. Mark B. Madsen

**STAFF PRESENT:** Mark C. Bleazard, Fiscal Analyst  
Rosemary Young, Committee Secretary

**Note:** A list of visitors and copy of handouts are filed with committee minutes.

Rep. Harper called the meeting to order at 2:11 p.m.

**MOTION:** Rep. Hendrickson moved to approve the minutes of the Feb. 1, 2010 meeting.  
The motion passed unanimously.

Mark Bleazard, Fiscal Analyst, reported that increased revenue generated by the Motor Carrier program that was adjusted by H.B. 253 last year is being tracked and a figure will be reported in a future meeting and possibly an appropriation.

**Aeronautics**

The Analyst reviewed the Division of Aeronautics explaining that it is responsible for statewide aeronautical navigation and provides radio navigational aids and air safety standards and assists local airports to meet FAA standards and in obtaining Federal funding. The Division supplies executive air transportation for the Governor and state agencies and aeronautical charts and airport directories to the flying public.

The base budget recommendation for this division for FY 2011 is \$27,286,800 and is divided among five programs as follows:

Administration	\$ 490,900
Airport Construction	23,536,100
Civil Air Patrol	75,000
Aid to Local Airports	2,240,000
Airplane Operations	944,800

Of the \$27,286,800, \$6,903,200 is from the Transportation Fund Restricted - Aeronautics, \$20,000,000 is from Federal Funds, and \$383,600 is from Dedicated Credits. The number of FTEs budgeted is 11. A spreadsheet listing airport construction projects for FY 2010 and FY 2011 was distributed.

John Njord, Director of UDOT, and Carlos Braceras, Deputy Director, responded to questions from the committee and pointed out that the focus of the division is maintaining and improving the airports. The major user of the Divisions's aircraft is the Department of Health which uses them to fly volunteer doctors to clinics in outlying areas. Through slides the two aircraft, their life and maintenance needs were discussed. Hourly rates have been reduced and usage has dropped.

### **Mineral Lease**

The Analyst presented the budget for the Mineral Lease line item for FY 2011. Title 59-21-1-(40)(c) of the Utah Code Annotated requires the Department of Transportation to distribute 40% of all deposits made to the Mineral Lease Account to special service districts organized throughout the state for areas impacted by mineral development. The FY 2011 budget for these Mineral Lease Payments is \$44,140,000.

Title 59-21-2(j)(i)(A) of the Utah Code Annotated further requires the Department to distribute Mineral Lease Funds to each county in which school or institutional trust lands are located, or lands owned by the Division of Parks and Recreation, and or lands owned by the Division of Wildlife Resources that are not under an in lieu of taxes contract, an amount equal to the number of acres of those lands in the county multiplied by \$.52. The amount recommended for this Mineral Lease - Payment in Lieu is \$2,469,000.

The total recommendation is \$46,609,000 all of which comes from the Federal mineral Lease Fund. If more monies are collected, more will be distributed according to the formula. The following intent language is also included in the recommendation:

*It is the intent of the Legislature that the funds appropriated from the Federal Mineral Lease Account shall be used for improvement or reconstruction of highways that have been heavily impacted by energy development.*

*It is the intent of the Legislature that if private industries engaged in developing the State's natural resources are willing to participate in the cost of the construction of highways leading to their facilities, that local governments consider that highway as a higher priority as they prioritize the use of Mineral Lease Funds received through 59-21-1(4)(c)(i). The Funds appropriated for improvement or reconstruction of energy impacted highways are non-lapsing.*

It was pointed out that the second paragraph of intent language is not statutorily binding but is meant to encourage. The Director reminded the committee that this program is strictly a pass through and their only involvement is to write checks.

### **Sidewalk Construction**

The purpose of the Sidewalk Construction Program is to fund the cost of correcting pedestrian hazards and other safety projects on State highways. The current formula for distribution of appropriated Sidewalk Program Funds is based on three criteria. Population estimates make up 25% of the formula. School enrollments for the previous school year make up another 25%, and pedestrian accidents on state highways make up the remaining 50% of the formula. The base budget for FY 2011 is \$500,000. The following intent language is also recommended:

*It is the intent of the Legislature that the funds appropriated from the Transportation Fund for pedestrian safety projects be used specifically to correct pedestrian hazards on State highways.*

*It is also the intent of the Legislature that local authorities be encouraged to participate in the construction of pedestrian safety devices. The appropriated funds are to be used according to the criteria set forth in Section 72-8-104, Utah code Annotated, 1953. The funds appropriated for sidewalk construction shall not lapse. If local governments cannot use their allocation of Sidewalk Safety Funds in two years, these funds will be available for other governmental entities which are prepared to use the resources. It is the intent of the Legislature that local participation in the Sidewalk Construction Program be on a 75% state and 25% local match basis.*

It was pointed out that the local match may be "in kind". The Analyst reminded the committee that last year they extracted \$1,500,000 from the lapsing funds in this program to help balance the budget which didn't seriously hamper the program. The Director reported that these are

often small projects and it can be difficult to coordinate "in kind" labor with UDOT. The Department is working to have a more timely completion of projects. There was discussion as to how the projects are chosen.

### **Equipment Management**

The Equipment Management Division is responsible for management, maintenance and repair of the Department's 1,996 units, \$57,000,000 fleet. The base budget for this line item for FY 2011 is \$27,075,100 with \$5,022,200 for Equipment Purchases including \$4,544,300 for road equipment, \$25,000 for small shop tools and equipment, \$90,000 for 800 MHZ, \$32,900 for 150 MHZ radios, and \$330,000 for fleet upgrades. The second program in this budget is Central Repair Shops with a base budget recommendation for FY 2011 of \$22,052,900. Of the \$27,075,100, \$52,900 is from the Transportation Fund and \$27,022,200 is from Dedicated credits. The number of FTEs budgeted is 88.

The Director reported that most of their equipment is very specialized and not available through leasing. Through slides, the committee was shown the 10-wheeler (snow plow) fleet, when they were purchased and how they are aging. They intend to purchase more tow plows as the occasion arises. They cost about \$100,000. They are now leasing mowers to cut the grass on the verges. They have explored buying some equipment and selling it back at the end of the season. Leasing to other government entities during UDOT slow times has been used. Snow plows are run by full-time employees who know the roads, and tow plows are used on flat land. These full-time employees work on construction during the summer. The trucks are sold at about 16 years or longer.

A spreadsheet showing statewide bridge recommendation was discussed. These are the "critical care" bridges which are watched closely. The Department repairs about 15 bridges a year and should be repairing about 50.

In future meetings priority lists will be made, bills with fiscal notes will be considered, and votes will be taken.

**MOTION:** Rep. Painter moved to adjourn. The motion passed unanimously.

Rep. Harper adjourned the meeting at 3:12 p.m.

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Rep. Wayne Harper, Co-Chair

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Sen. Kevin T. Van Tassell, Co-Chair